

EXHIBIT

CITY OF CLEVELAND
BOARD OF BUILDING STANDARDS & BUILDING APPEALS

DO NOT WRITE IN THIS SPACE

DOCKET NO. A-35-05

NOTICE OF THIS APPEAL HAS BEEN FURNISHED TO THE ADMINISTRATIVE OFFICIAL UPON
WHOSE DECISION THIS APPEAL IS BASED. YES NO

APPEAL FROM ADMINISTRATIVE DECISION

DATE 3/10/2003

APPELLANT/OWNER OF RECORD Richard Danet

MAILING ADDRESS PO Box 10092 Cleveland Oh 44110
 (street) (city) (state) (zip code)

AGENT/ATTORNEY G. Goff

MAILING ADDRESS PO Box 10092 Cleveland Oh 44110
 (street) (city) (state) (zip code)

HEARING NOTICE TO BE MAILED TO: Danet
Goff

Request is herewith made for hearing before the Board of Building Standards and Building Appeals for variance from the determination of the,

COMM. OF BLDG./HOUS. DIV. OF FIRE OTHER

LOCATION OF PREMISES 810 E 15th STREET

NUMBER OF STORIES 1.25 (AKA 810-12 EAST 15th STREET)

OCCUPANCY CLASSIFICATION: RESIDENTIAL ASSEMBLY BUSINESS

INDUSTRIAL OTHER

ATTACHED AND MADE A PART OF THIS APPEAL, THE FOLLOWING IS SUBMITTED:

1. Violation Notice.
2. Appeal Statement.
3. Drawings, Sketches or Photographs.
4. Letter from Owner Authorizing the Appeal.

SIGNATURE R. E. Danet

PRINT NAME R. E. Danet

TITLE DANET

PHONE NO. 216-457-6211

RECEIVED

MAR 10 2003

"BOARD OF BUILDING STANDARDS
AND BUILDING APPEALS"

A-35-03

THE CITY OF CLEVELAND
 DEPARTMENT OF COMMUNITY DEVELOPMENT
 DIVISION OF BUILDING & HOUSING
 601 LAKESIDE AVE CLEVELAND, OH 44114

NOTICE OF VIOLATION OF HOUSING ORDINANCES

WARD: 10 DATE: 03/07/2003 cs
 CT: 1173.00 PPN: 115-09-011
 PROPERTY ADDRESS: 810 E 152 ST PHONE:
 AKA: 810-12 E 152

RESPONSIBLE PARTY(S)

RICHARD DAVET (OWNER)
 810 E 152ND
 CLEVELAND, OH 44110

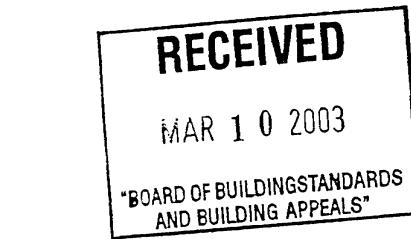
RICHARD F DAVET (TAX MAILING)
 24800 COMMUNITY AV.
 BEACHWOOD, OH 44122-1044

NATIONAL CITY BANK (MORTGAGE)
 1900 E 9TH ST.
 CLEVELAND, OH 44114

PRAMCO II LLC (MORTGAGOR)
 1387 FAIRPORT RD. S-750
 FAIRPORT, NY 14450

GLS CAPITAL CUYAHOGA INC.
 YEAR 1996-97, 98
 310 W LAKESIDE AV. STE#595
 CLEVELAND, OH 44113

DWELLING UNITS :
 OCCUPANCY / USE: COMMERCIAL
 KIND OF STRUCTURE: 2 STY MASONRY
 ZONING DISTRICT: LOCAL RETAIL C-2
 TYPE OF VIOLATION: FORTHWITH COND
 TYPE:



INSPECTION DATE: 03/06/2003
 MASTER # : 203066016

THIS NOTICE SHALL BE COMPLIED WITH AND ALL VIOLATIONS CORRECTED BY 03/07/2003

FAILURE TO COMPLY WITH THIS NOTICE WILL RESULT IN PROSECUTIVE ACTION OR OTHER PENALTY AS PROVIDED BY LAW 3103.99. SECTION 367.09, 3103.09 AND 329.02 OF THE CODIFIED ORDINANCES, AND SECTION 4101:2-1-76 OF THE OHIO BASIC BUILDING CODE, PROVIDES THE RIGHT TO APPEAL THIS ORDER TO BOARD OF BUILDING STANDARDS AND BUILDING APPEALS FOR BUILDING CODE VIOLATIONS, OR TO THE STATE BOARD OF BUILDING APPEALS FOR THE VIOLATIONS OF THE OHIO BASIC BUILDING CODE. DURING THE PENDENCY OF THIS NOTICES, AN APPEAL TO THE BOARD OF BUILDING STANDARDS & BUILDING APPEALS MAY BE FILED IN ROOM 516, 601 LAKESIDE AVE, CLEVELAND OH 44114 OR THE STATE BOARD OF APPEALS

* * * - - * * * - - * * - - * * * - - * * - - * * * - - * * * - - * * *
 FAILURE TO COMPLY WITH THIS NOTICE SHALL RESULT IN THE DEMOLITION OF THE BUILDING(S). ANY AND ALL COSTS INCURRED BY THE CITY FOR THE DEMOLITION OF THE BUILDING(S) SHALL BE PAID BY THE OWNER(S) OF RECORD. IF THE OWNER(S) FAILS TO PAY FOR THE COSTS WITHIN THIRTY (30) DAYS, LEGAL ACTION SHALL BE INITIATED TO COLLECT THE DEBT.
 * * * - - * * * - - * * - - * * * - - * * * - - * * * - - * * *

PLEASE CONTACT THE INSPECTOR UPON RECEIPT OF THIS NOTICE

SEQ SECTION

COMPLY

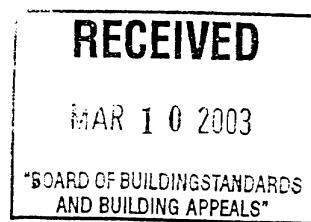
NATURE OF VIOLATION:

03/07/03

RE: 810 E 152 ST

PAGE: 0002

| SEQ SECTION
NO. VIOLATED | COMPLY
DATE | NATURE OF VIOLATION: |
|-----------------------------|----------------|--|
| 1 3103.09/3101.10 | 03/07/2003 | DUE TO DETERIORATION SET FORTH HEREIN, THIS STRUCTURE SHALL BE EFFECTIVELY BOARDED IN ACCORDANCE WITH REGULATIONS ADOPTED PURSUANT TO SECTION 3103.09 (d) (4) OF THE CODIFIED ORDINANCES, OR THE VIOLATIONS SET OUT BELOW SHALL BE CORRECTED BY COMPLETE REPAIR AFTER ALL REQUISITE PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED TO THE DIVISION OF BUILDING AND HOUSING, AND ALL REQUISITE PERMITS HAVE BEEN OBTAINED, ALL IN ACCORDANCE WITH THE CODIFIED ORDINANCES OF THE CITY OF CLEVELAND AND WITH THE OHIO BASIC BUILDING CODE. |
| 2 3103.09/3101.10 | 03/07/2003 | PARTS OF THIS STRUCTURE SET OUT BELOW ARE DETERIORATED: |
| 3 | 03/07/2003 | DETERIORATED - ROOF - ROOF RAFTERS, SHEATHING, ROOFING, #JOIST ____ |
| 4 | 03/07/2003 | DETERIORATED - WALLS - BEARING, NON-BEARING, WALL STUDS, INTERIOR & EXTERIOR |
| 5 | 03/07/2003 | DETERIORATED - FLOORS - FLOOR DECK, #JOIST ____, BEAMS, OTHER FRAMING |
| 6 | 03/07/2003 | DETERIORATED - OPENINGS - DOORS |
| 7 | 03/07/2003 | DETERIORATED - FINISHING - LATH, PLASTER, TRIM AND MOULDING |
| 8 | 03/07/2003 | DETERIORATED - STAIRS - RAILINGS, RISERS, TREADS, ENCLOSURE WALLS |
| 9 | 03/07/2003 | DETERIORATED - BUILDING EQUIPMENT - PLUMBING, HEATING, ELECTRICAL |
| 10 3101.10(e) | 03/07/2003 | MAINTAIN THE STREET PAVEMENT, TREE LAWNS, SIDEWALKS AND PREMISES CLEAN OF ALL DIRT, |



03/07/03

RE: 810 E 152 ST

PAGE: 0003

SEQ SECTION
NO. VIOLATED

COMPLY
DATE

NATURE OF VIOLATION:
FORTHWITH CONDEMN MS

TRASH AND DEBRIS.

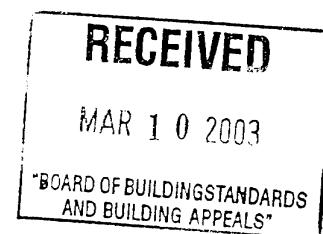
11 3105.01

03/07/2003 SECURE THE REQUIRED PERMITS FROM THE
DIVISION OF BUILDING AND HOUSING PRIOR TO
MAKING ANY REPAIRS.

TO CONTACT YOUR INSPECTOR CALL MONDAY THRU FRIDAY.

INSPECTOR: WILLIAM URBAN

PHONE: (216) 664-2137



A-35-03

DATE: 03/07/2003

RECEIVED

MAR 10 2003

**"BOARD OF BUILDINGSTANDARDS
AND BUILDING APPEALS"**

VIOLATION NOTICE AND DEMO LETTER TO BE SENT OUT REGULAR AND CERTIFIED.

NOTICE OF VIOLATION OF BUILDING ORDINANCES

PURSUANT TO SECTION 3103.09, 367.04, 369.19 AND 369.21 OF THE CODIFIED ORDINANCES OF THE CITY OF CLEVELAND, THE COMMISSIONER OF BUILDING AND

HOUSING DOES HEREBY DECLARE THE STRUCTURE KNOWN AS AND LOCATED AT :

810 E 152 ST CLEVELAND, OHIO
TO BE A PUBLIC NUISANCE IN THAT IT CONSTITUTES AN EMINENT DANGER AND
PERIL TO HUMAN LIFE AND PUBLIC HEALTH, SAFETY AND WELFARE, AND THAT THE
AFORESAID CONDITION CONSTITUTES AN EMERGENCY. THEREFORE, YOU ARE HEREBY
NOTIFIED THAT THE CITY OF CLEVELAND PURSUANT TO SAID SECTION 3103.09,
367.04, 369.19 AND 369.21 OF THE CODIFIED ORDINANCES WILL SUMMARILY ABATE
SAID PUBLIC NUISANCE CREATED AS A RESULT OF SAID EMERGENCY BY DEMOLITION
OF THE STRUCTURE IF THE VIOLATIONS LISTED IN THE ATTACHED NOTICE ARE NOT
ENTIRELY CORRECTED BY THE DATE SET FORTH IN SAID NOTICE.



COMMISSIONER OF BUILDING AND HOUSING

THIS NOTICE WAS PERSONALLY DELIVERED BY THE UNDERSIGNED ON THIS

10 DAY OF MARCH 2003 AT 11 O'CLOCK BY LEAVING

WITH L. Weems

cc: L. Weems
R. Keiser

A-35-03

Richard F. Davet
PO Box 10092
Cleveland, OH 44110
Phone 216-451-6211
Fax 216-451-3350
E-Mail: rfdavet@juno.com

Monday, March 10, 2003

Cleveland Board of Building Standards
And Building Appeals
601 Lakeside Avenue
Room 516
Cleveland, OH 44114



RE: APPEAL OF NOTICE OF VIOLATIONS OF HOUSING ORDINANCES,
810 EAST 152 STREET
PPN:115-09-011

Gentlepeople:

Please be advised that on March 10, 2003 I received a Notice of Violation of Housing Ordinances, a copy of which is attached hereto and incorporated by reference herein and marked as Exhibit "A". Please accept this letter as my Appeal to the Board of Building standards and Building appeals for the Building Code violations referenced in the attached Exhibit "A"

As grounds for this Appeal, I state that the Notice of Violation constitutes action which is arbitrary and capricious and I further state that the Notice of Violation is in violation of due process of law and contrary to professional opinions secured by the owner in their securing quotes for repair of the premises.

For these reasons, I file this Notice of Appeal and ask that the Notice of Violations of Housing Ordinances served upon me with reference to the above captioned property be vacated and/or voided.

Respectfully submitted.



Richard F. Davet

Rfd/cc